

House Engrossed Senate Bill

FILED

**KEN BENNETT
SECRETARY OF STATE**

State of Arizona
Senate
Fiftieth Legislature
Second Regular Session
2012

SENATE CONCURRENT MEMORIAL 1008

A CONCURRENT MEMORIAL

URGING CONGRESS TO ENACT LEGISLATION EXEMPTING UNITED STATES MILITARY BASES
FROM THE REGULATIONS AND RESTRICTIONS OF THE ENDANGERED SPECIES ACT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 To the Congress of the United States:

2 Your memorialist respectfully represents:

3 Whereas, the mission of the United States Department of Defense is "to
4 provide the military forces needed to deter war and to protect the security
5 of our country"; and

6 Whereas, according to the Department of Defense and the Government
7 Accountability Office (GAO), a fundamental principle of military readiness is
8 that the military must train as it intends to fight; and

9 Whereas, the Department of Defense has established military training
10 facilities in Arizona, including Luke Air Force Base, Fort Huachuca and the
11 Barry M. Goldwater range, among others, to accomplish this goal; and

12 Whereas, Department of Defense officials indicate that heightened focus
13 on the application of environmental statutes has affected the use of its
14 training areas; and

15 Whereas, compliance with environmental regulations, especially the
16 Endangered Species Act (ESA), has caused some training activities to be
17 canceled, postponed or modified; and

18 Whereas, compliance with environmental regulations, particularly the
19 ESA, has forced military officials to make adjustments to training regimens,
20 including requiring units in training to avoid areas with ESA restrictions;
21 and

22 Whereas, since 2003, the Department of Defense has obtained exemptions
23 from three environmental laws and sought exemptions from three others; and

24 Whereas, these exemptions allow the military to maintain its high state
25 of readiness and help to ensure its ability to meet unexpected threats; and

26 Whereas, these exemptions are under increased scrutiny by environmental
27 groups and federal officials who would rather protect wildlife than allow the
28 military to maintain its readiness; and

29 Whereas, a GAO report found no instances in which the Department of
30 Defense's use of exemptions from the ESA or the Migratory Bird Treaty Act has
31 adversely affected the environment; and

32 Whereas, the United States military has proven itself to be a
33 responsible and effective steward of the land and environment.

34 Wherefore your memorialist, the Senate of the State of Arizona, the House of
35 Representatives concurring, prays:

36 1. That the United States Congress enact legislation exempting United
37 States military bases and training facilities from the regulations and
38 restrictions of the Endangered Species Act.

39 2. That the Secretary of State of the State of Arizona transmit a copy
40 of this Memorial to the President of the United States Senate, the Speaker of
41 the United States House of Representatives and each Member of Congress from
42 the State of Arizona.

~~PASSED BY THE HOUSE MARCH 22, 2012.~~

~~SENATE CONCURS IN HOUSE AMENDMENTS AND FINAL PASSAGE MARCH 26, 2012.~~

~~FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 27, 2012.~~

Passed the House March 22, 2012,

by the following vote: 40 Ayes,

18 Nays, 2 Not Voting


Speaker of the House

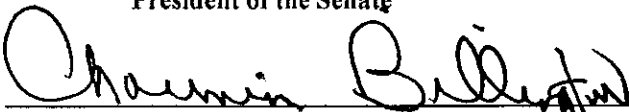

Chief Clerk of the House

Passed the Senate February 28, 2012,

by the following vote: 21 Ayes,

9 Nays, 0 Not Voting

 LV
President of the Senate


Secretary of the Senate

S.C.M. 1008

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE~~

~~This Bill was received by the Secretary of State
this _____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary of State~~

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate March 26, 20 12

by the following vote: 18 Ayes,

9 Nays, 3 Not Voting

Steve Pierce
President of the Senate

Chaimin Billington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Memorial received by the Secretary of State

this 27th day of March, 20 12

S.C. M. 1008

at 8:20 o'clock a M.

Kyle Blumett
Secretary of State